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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,275	01/13/2000	Norihisa Haneda	4-154US-FF	6767

			EXAMINER
21254	7590	04/09/2004	VIDA, MELANIE M

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ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.		Applicant(s)	
Office Action Summary		09/482,275		HANEDA ET AL.	
		Examiner		Art Unit	
		Melanie M Vida		2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 January 2004</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-14,17,20,23 and 24</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-14,17,20,23 and 24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responsive to an amendment filed 1/29/04. Claims 1-14, 17, 20, and 23-24

are pending. Claims 15-16, 18-19, and 21-22 are non-elected. Claims 23-24 are newly added.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-14, 17, 20 have been considered but are

moot in view of the new ground(s) of rejection. It is agreed that Schwab does not teach an image

data generating unit of the server system, generates "reduced-data-quantity image data of same

format", (page 12, lines 13-16).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

4.   **Claims 1-6, 9, 11-14, 17, 20, 23, and 24** are rejected under 35 U.S.C. 102(e) as being

anticipated by Jebens et al. US-PAT-NO: 6,321,231 B1, (hereinafter, Jebens).

Regarding, **claim 1,** Jebens illustrates in figure 1, a data management and work order

delivery system, which reads on "an image data communication system", (col. 4, lines 52-54;

col. 6, lines 66-67). The system comprises various users such as browsers or clients (12) (14),

(16), as illustrated in figure 2, which reads on a in which a plurality of client computers, (col. 6,

lines 66-67). The data management and work order delivery system comprises a host system

(10), which reads on "a server system", (col. 6, lines 66-67). Users (12), (14), (16) can access the

host system (10) through local area networks or wide area networks, which reads on "are capable

of communicating with each other via a network", (col. 7, lines 2-4). Jebens teaches of a high-

resolution scanner (48), which reads on "original-image data specifying unit", where the term

"high resolution" refers to digital data as originally stored on the system, and that the job

providers (14) are the developers of digital data from a high-resolution scanner (48) that is to be

stored on the system, which reads on "for specifying original-image data that is to be transmitted

to said server system", (col. 5, lines 45-47; col. 6, lines 55-57). The communication portion of

the local computer then establishes connection with the host site (10) to transmit a file, which

reads on "an original-image data transmitting unit for transmitting the original-image data, which

has been specified by said original-image data specifying unit, to said server system", (col. 7,

lines 40-43; col. 18, lines 66 through col. 19, lines 2). The computer systems of the host site (10)

are implemented with a telecommunications server (22) for effecting communication with users

and the like, which reads on "and server system includes: an original-image data receiving unit

for receiving the original-image data transmitted from said original-image data transmitting

unit", (col. 6, lines 1-3). Moreover, Jebens teaches a method, as shown in figures 4a-4b, wherein

the system determines the client from a plurality of clients that sent a file and subsequently calls

an autolog routine, which reads on "an image data generating unit, which responds to receipt of

the original-image data by said original-image data receiving unit", (col. 9, lines 10-12, lines 14-

16). Furthermore, the autolog routine uses the original file (200) to create a thumbnail (216) of

the original file (200) in JPEG file, and subsequently creates a low resolution image (220, 222) in

a format compatible with the format (218) of the original image sent by the user (14), which

reads on "for generating reduced-data-quantity image data of same format of two stages

representing at least two images possessing data quantities of at least two stages in each of which

the quantity of data is less than that of the original-image data;" (emphasis added) (col. 9, lines

52-58; col. 10, lines 1-17; col. 10, lines 19-30). Finally, Jebens states that the server (34), which

reads on "a unit" preferably updates the associated item record to include the pathname of the

original image file (228) which includes information about the stored image files including

pathnames to the low resolution and high resolution image files (i.e. original image), which reads

on "for associating the original-image data, which has been received by said original image data

receiving unit, and the reduced data quantity image data that has been generated by said image

data generating unit", (col. 8, lines 13-16; col. 10, lines 45-52).

Regarding, **claim 2,** Jebens states that the autolog software and server (34), which reads

on "the system according to claim 1, wherein said server system further includes a specific-

format image data generating unit" can optionally be adapted to translate new image files

received from a user (14) into a predetermined file format, which reads on "for generating image

data having a predetermined specific data format that is independent of the data format of the

original-image data", (col. 9, lines 61-64).

Regarding, **claim 3,** Jebens states that the autolog software and server (34), which reads

on "the system according to claim 1, wherein said image data generating unit" can optionally be

adapted to translate new image files received from a user (14) into a predetermined file format,

which reads on "generates reduced-data-quantity image data of a prescribed format that is

independent of the data format of the original-image data", (col. 9, lines 61-64; col. 10, lines 20-

37).

Regarding, **claim 4,** Jebens inherently teaches, "wherein said server system further

includes memory in which the quantity of original-image data that can be stored is allocated

beforehand to each client computer" as evidenced by such housekeeping tasks as client database

structure setup, (col. 9, lines 60-62; col. 11, lines 7-8). Jebens teaches that the server stores the

original image in a temporary file (204), which reads on "said memory storing temporarily the

original-image data that has been received by said original-image data receiving unit", (col. 9,

lines 15-20; col. 19, lines 5-10). Jebens inherently teaches, said original-image data transmitting

unit of said client computer sending said server system the original-image data having a data

quantity less than the quantity of data allocated beforehand" as evidenced by storage charges are

assessed on a per file basis and a per-megabyte basis such as 0.33/per file plus 0.13 per MB for

file storage, (col. 18, lines 5-9).

Regarding, **claim 5,** Jebens teaches a hotfolder transport system, which reads on "a data-quantity information transmitting unit" wherein a user (14) can drag and drop a file onto a destination file in the host site (10) in order to transmit the file to a predetermined destination, which reads on "for sending said client computer information representing a pre-allocated data quantity capable of being stored in said memory", (col. 18, lines 45-55). A user can have multiple destination and receiving folders (701) configured on their local system, as shown in figure 10A, which reads on "said original-image data transmitting unit of said client computer sending said server system the original-image data having a data quantity less than the quantity of data allocated beforehand based upon said information, which represents the data quantity, transmitted from said data-quantity information transmitting unit of said server system", (col. 19, lines 11-14).

Regarding, **claim 6,** Jebens teaches of an image database, which reads on "further includes a storage unit" for storing the low resolution image and the high resolution image (i.e. original file) of digital image files and further the thumbnail image can be stored therein, which reads on "for storing the original-image data and the reduced-data-quantity image data of two stages", (col. 8, lines 12-13; col. 9, lines 54-58).

Regarding, **claim 9,** Jebens teaches that a user (12), (14) (16) attempts to login to the system (10) through a browser, which reads on "client computer further includes a transmission requesting unit", and enters in search parameters for images such as thumbnails stored in the

system's (10) image database, which reads on "for sending said server system a request to

transmit at least one item of image data among the original-image data and reduced-data-quantity

image data of two stages that has been stored in said storage unit", (col. 12, lines 29-30, lines 35-

38, lines 45-46). Moreover, Jebens states that an internet server (24), which reads on "a

transmission-request receiving unit" receives receipt of this search criteria and subsequently it

searches the user-specified files in the item records belonging to the authorizing image provided

user (14) and compile a set of digital data that meets the search criteria, which reads on "for

receiving the transmission request transmitted from said transmission requesting unit of said

client computer;" (col. 12, lines 36-40). Additionally, a login routine (306), as shown in figures

6-7A, on the system (10), which reads on "a first reception privilege determination unit" has a

steps (300, 302, 304) to determine if the client ID is valid (300), the userID is ok (302), and the

password is valid (304), which reads on "for determining whether the privilege" to download a

thumbnail (412) to a browser (i.e. user's display device), which reads on "to receive image data

specified by the transmission request received by said transmission request receiving unit resides

with the client computer that issued the transmission request", (col. 11, lines 61-67; col. 12, lines

50-55). Jeben's method has a step (412) to download thumbnail via the internet server (24) in

figure 7A, following the login validation routine, illustrated in figure 6, which reads on "a data

transmitting unit, which is responsive to a determination by said first reception privilege

determination unit to the effect that the privilege resides with said client computer, for reading

the image data to said client computer". However, if the steps (300), (302) or (304) fail the login

routine proceeds to routine A (306), which reads on "and which is responsive to a determination

by said first reception privilege determination unit to the effect that the privilege does not reside

with said client computer, for sending said client computer data indicating that transmission is

not allowed".

Regarding, **claim 11,** Jebens teaches of a graphical user interface (i.e. a browser) such as

browsers and orderers (12), which reads on "an image search-condition input unit" for a user to

specify search parameters, which reads on "for inputting image search conditions", (col. 12, lines

25-27). Moreover, the browsers and orderers' (12) modem transmit search parameters, which

reads on "an image search-condition transmitting unit" a search request, which reads on "for

sending said client computer the search conditions that have been input from said image search

condition input unit", (col. 7, lines 1-10; col. 12, lines 32-35). Jebens inherently teaches "an

image search condition receiving unit", as evidenced by the host system (10) interacts with the

user via the communication servers (22), (24) to receive various inputs (col. 11, lines 58-61; col.

12, lines 40-53). The internet server (24), which reads on "a search unit", and a "search result

information transmitting unit" generates and downloads the report (614), if the user is authorized

to access the information requested (611), or a denial message is displayed (613), which reads on

"for searching, on the basis of the image search conditions received by said image search-

condition receiving unit, at least one item of data among the original-image data and the reduced-

data-quantity image data of two stages stored in said storage unit;", "for sending said client

computer information relating to results of the search conducted by said search unit", (col. 16,

lines 15-21).

Regarding, **claim 12,** Jebens teaches that the internet server (24), which reads on "a

second reception privilege determination unit" determines whether the user has client-type user

or a system type user (600), specifically shown in figures 9A-9B, which reads on "for

determining whether the privilege to receive image data, which has been found as a result of the

search conducted by said search unit resides with client computer", (col. 15, lines 60-65). Jebens

teaches the internet provider, which reads on "a search-result information transmitting unit,"

checks if the user is authorized to access the information in the requested report (611), otherwise

a denial message is displayed (613), which reads on "in response to a determination by said

second reception-privilege determination unit to the effect that the reception privilege resides

with said client computer", and generates and downloads the report (614), otherwise, which

reads on "sending said client computer the image data found as a result of the search conducted

by said search unit", (col. 11, lines 58-61; col. 12, lines 40-53; col. 16, lines 16-21).

Regarding, **claim 13,** Jebens teaches that the autolog software and server (34) and a

translation matrix, which reads on "said server system further includes a format conversion unit"

that is adapted to translate new image files received from a user (14) between commonly used

formats, which reads on "for converting the original-image data that has been received by said

original image data receiving unit to a format", (col. 9, lines 60-64; col. 10, lines 8-10; col. 13,

lines 34-38). Jebens inherently teaches, "a format that is capable of being displayed by said

image display unit" as evidenced by the results of the search as thumbnails are displayed on a

display device (412) as illustrated in figure 7A.

Regarding, **claim 14,** please see the corresponding rejection in claim 1.

Regarding, **claim 17,** please refer to the corresponding rejection in claim 1.

Regarding, **claim 20,** please refer to the corresponding rejection in claim 1, and further

wherein Jeben's states that the software running the system is executed on the computers located

at the host site (10), and user locations (12), (14), (16), which reads on "a recording medium

storing a program for controlling a server system capable of communicating with a client

computer via a network", (col. 8, lines 3-9).

Regarding, **claims 23 and 24,** please refer to the corresponding rejection in claim 1.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   **Claims 7, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jebens, US-

PAT-NO: 6,321,231 B1 as applied to claim 1 above, and further in view of Manolis, US-PAT-

NO: 6,583,799 B1, (hereinafter, Manolis).

Regarding, **claim 7,** Jebens teaches the system according to claim 1, but fails to expressly

disclose, "a color adjustment unit for applying color adjustment processing to at least one item of

image data among the original-image data and reduced-data-quantity data of two stages".

However, Manolis teaches of a shapreniing, or color reducing operations to enhance the JPEG thumbnail images, which reads on "a color adjustment unit for applying a color adjustment processing to at least one item of image data among the original-image data and reduced-data-quantity image data of two stages", (col. 7, lines 23-26).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to color adjust a thumbnail image with Jeben's system.

One of ordinary skill in the art would have been motivated to adjust the color of a thumbnail image in order to enhance the appearance of the thumbnail, given the express suggestion of Manolis, (col. 7, lines 25-26).

Regarding, **claim 10,** Jebens teaches the system according to claim 6, but fails to expressly disclose, "an end-message transmitting unit, which is responsive to storage of the original-image data and the reduced-data-quantity image data of two stages in said storage unit, for transmitting a message indicative of end of storage to said client computer that transmitted the original image".

However, Manolis inherently teaches, "an end-message transmitting unit, which is responsive to storage of the original-image data and the reduced-data-quantity image data of two stages in said storage unit, for transmitting a message indicative of end of storage to said client computer that transmitted the original image", as evidenced in by step (368) in figure 6, the server communicates to the client an error message if the upload of original image data from the client PC to the server in step (366) was successful or otherwise, (col. 8, lines 1-6).

At the time the invention was made it would have been obvious to one of ordinary skill in

the art to modify Jeben's system (10) of claim 6, with Manolis method for indicating the

successful upload of image.

One of ordinary skill in the art would have been motivated to indicate if the image upload

was successful in order to indicate that end of storage has not been reached.

7.   **Claim 8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jebens, US-

PAT-NO: 6,321,231 B1 as applied to claim 1 above, and further in view of Hashimoto et al. (US

2002/0012453), (hereinafter, Hashimoto).

Regarding, **claim 8**, Jebens teaches a browse category, which reads on "a specifying-data

transmitting unit" where the user can enter search parameters to search for item records saved on

the host system (10) that meet the search criteria, which reads on "for sending said server system

specifying data which represents the image data that has been specified by said data specifying

unit", (col. 12, lines 26-29, lines 35-40). Furthermore, the system (10) comprises an internet

server (24), which reads on "said server system further includes a specifying-data receiving unit"

that obtains receipt of the search criteria and search the user-specified fields in the item records

belonging to the authorizing image provided user (14) and compile a set of digital data that meets

the search criteria (404), which reads on "for receiving the specifying data that has been

transmitted from said specifying data transmitting unit of said client computer;", (col. 12, lines

35-40).

Jebens does not expressly disclose a data specifying unit, nor a color adjustment unit.

However, Hashimoto inherently teaches "a data specifying unit" and a "color adjustment

unit" as evidenced by a compression method wherein images can be compressed by reducing the

number of colors used for the characters and graphic patterns into a codes consisting of a few

bits, which reads on "for specifying image data that is to undergo color adjustment among the

original image data and reduced data quantity image data", "applying color adjustment

processing to image data, which has been specified by said specifying data received by said

specifying data receiving unit" (pg. 32, paragraph 0400, lines 4-10).

At the time the invention was made, it would have been obvious to one of ordinary skill

in the art to modify the server systems taught by Manolis in view of Schwab with Hashimoto's

data specifying unit, and color adjustment units".

One of ordinary skill in the art would have been motivated to use a color adjustment unit

and a data specifying unit with the server, in order to process color images.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Mahoney et al. US-PAT-NO : 5,999,664, a system for searching documnet images.

Schuster et al. US-PAT-NO : 6,151,636, a data and media communication with

compression.

Aragaki, US-PAT-NO: 4,992,887, a method of storing and transmitting image data

suitable for an image search.

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Melanie M Vida whose telephone number is (703) 306-4220.

The examiner can normally be reached on 8:30 am 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kimberly A Williams can be reached on (703) 305-4863. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

                                                            Melanie M Vida
                                                            Examiner
                                                            Art Unit 2626

MMV
ттт v

March 31, 2004

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER